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California State Bar No. 246757

2 **FEDERAL DEFENDERS OF SAN DIEGO, INC.**

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5 Attorneys for Mr. Zepeda-Montes

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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10 (HONORABLE MARILYN L. HUFF)

11 UNITED STATES OF AMERICA, )

Criminal Case No. 08CR1275-MLH

12 Plaintiff, )

DATE: August 25, 2008

TIME: 2:00 P.M.

13 v. )

14 DECLARATION IN SUPPORT OF

15 NAPOLEON ZEPEDA-MONTES, )

MOTION TO SUPPRESS STATEMENTS

16 Defendant. )

17  
18 TO: KAREN P. HEWITT, UNITED STATES ATTORNEY;  
STEWART YOUNG, ASSISTANT UNITED STATES ATTORNEY;

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20 Mr. Zepeda-Montes, by and through counsel, Joseph M. McMullen and Federal Defenders of San  
21 Diego, Inc., hereby files the following Declaration in Support of Defendant's Motion to Suppress  
22 Statements.

23 Respectfully submitted,

24 

25 Dated: August 19, 2008

26 **JOSEPH M. McMULLEN**  
Federal Defenders of San Diego, Inc.  
Attorneys for Mr. Zepeda-Montes

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
(HONORABLE MARILYN L. HUFF)

UNITED STATES OF AMERICA,	)	Criminal Case No. 08CR1275-MLH
	)	
Plaintiff,	)	
	)	
v.	)	
	)	DECLARATION OF
NAPOLEON ZEPEDA-MONTES,	)	<u>NAPOLEON ZEPEDA-MONTES</u>
	)	
Defendant.	)	

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I, Napoleon Zepeda-Montes, declare under penalty of perjury:

1. I am the defendant in the above-captioned case and make this declaration in support of a motion filed by my attorney.
2. On March 29, 2008, I was arrested at the San Ysidro, California Port of Entry.
3. I was taken into custody at approximately 7:00 a.m., and soon thereafter I informed the arresting officers that I was an insulin-dependent diabetic.
4. I also informed the officers that I did not have my medication.
5. I was placed in a cell for several hours and was not allowed to eat until after I agreed to speak with the agents who interrogated me.
6. I was also not allowed to consult a doctor about receiving medication for my condition until after I agreed to speak with the agents.
7. The agents' interrogation of me did not begin until I had been left in the holding cell for

1 several hours.

2 8. I feared that I would not have the opportunity to eat or get my medication until after I agreed  
3 to speak with the agents.

4 9. After the interrogation was over, I was provided with a meal and access to medical  
5 professionals.

6 I swear that, to the best of my knowledge and memory, the foregoing is true and correct.

7  
8 Dated: 8/19/2008

  
9 NAPOLEON ZEPEDA-MONTES  
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